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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 MALI FAHIMA,

12 Plaintiff,

13 vs.

14 ALBERTO R. GONZALES, et al.,

15 Defendants.


CASE NO. 07 CV 1777 JM (CAB)

**ORDER GRANTING PLAINTIFF'S
MOTION TO DISMISS**

16 Plaintiff brought this mandamus action to compel the United States Citizenship and
17 Immigration Service ("CIS") to adjudicate her I-485 application to adjust status. On December 12,
18 2007, Plaintiff filed a motion to withdraw her complaint because CIS adjudicated her application.
19 Defendants filed a noticed of non-opposition to Plaintiff's motion. Pursuant to Federal Rules of Civil
20 Procedure ("FRCP") Rule 41(a)(2), the court construes Plaintiff's motion as a motion to dismiss and
21 hereby **GRANTS** dismissal.¹

IT IS SO ORDERED.

22 DATED: December 26, 2007

23 
24 Hon. Jeffrey T. Miller
United States District Judge

25 cc: All parties
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28 ¹The court also notes that Plaintiff could have voluntarily dismissed the action without a court order under FRCP Rule 41(a)(1). Rule 41(a)(1) requires only a stipulation of dismissal signed by all parties, prior to service of an answer or motion for summary judgment.